EXCISE

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C O N F I D E N T I A L SEOUL 10713
E.O. 12065: GDS 08/19/86 (MONJO, JOHN) OR-M
TAGS: SNAR PINS PINT KS
SUBJECT: KIM DAE JUNG TRIAL: REPORT NO. 3
REF: SEOUL 10628
1. (LOU) SUMMARY: KIM DAE-JUNG (M-R: KIM TAE CHUNG,
TOOK THE STAND IN HIS OWN DEFENSE THE AFTERNOON OF AUGUST
18 AND, UNDER QUESTIONING BY HIS LAWYER, GAVE AN EXCUL-
PATORY ACCOUNT OF HIS PURPORTEDLY 'PRO-COMMUNIST' ACTIVIT-
IES IN JAPAN AND THE U.S. AT THE AUGUST 19 SESSION, KIM'S
12 CODEFENDANTS WERE BACK IN COURT. KIM WAS QUESTIONED
BY THE PROSECUTOR ON FOREIGN CURRENCY LAW VIOLATIONS AND
PLOTTING AND INSTIGATING INSURRECTION. HE ADMITTED MOST
OF THE FORMER ACCUSATIONS, BUT STAUNCHLY DENIED THAT HE
HAD ADVOCATED VIOLENCE OR SOUGHT POLITICAL POWER THROUGH
IT. ASKED ABOUT HIS MOST RECENT IMPRISONMENT, KIM
DESCRIBED MISTREATMENT VERGING ON TORTURE AND SAID HE HAD
SIGNED INCRIMINATING STATEMENTS UNDER DURESS. KIM'S LAWYER
WAS ABSENT FROM THE COURTROOM MOST OF AUGUST 19 PRESS
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POOL REPORTS WERE AGAIN CENSORED; EMBOFF BRIEFED REPORTERS.
END SUMMARY.
2. (LOU) ON THE AFTERNOON OF AUGUST 18, COURT ALLOWED
KIM'S LAWYER TIME--LESS THAN AN HOUR--TO STUDY THE INVESTI-
GATION RECORD, AND KIM THEN ANSWERED QUESTIONS PUT BY HIS
LAWYER AND, IN A SLIGHT IRONY FROM HIS EARLIER POSITION, FROM
THE PROSECUTOR. HE ADMITTED BEING "A LEFTIST" IN 1946-47.
HIS ACTIVITIES ABROAD IN THE EARLY 1970'S WERE COVERED
EXTENSIVELY. HE SAID HE WENT ABROAD BECAUSE HE "COULD NOT
OPPOSE THE DICTATORSHIP" THERE IN THE ROK. HE ADMITTED
FOUNDING THE HANMINTONG IN THE U.S., SAID THE HANMINTONG
"FULLY SUPPORTED THE REPUBLIC OF KOREA" AND WAS FOR THE
RESTORATION OF KOREAN DEMOCRACY. HE SAID HE HAD HAD LITTLE
TO DO WITH HANMINTONG LATER, WHILE IN JAPAN AND DESCRIBED
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY H. Teeple DATE 9/18/82
PORTIONS DENIED AS INDICATED

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HIS EVENTUAL DISSOCIATION FROM THE ORGANIZATION. HE DENIED ALLEGATIONS OF "PRO-COMMUNIST" BEHAVIOR. AT ONE POINT HE QUOTED KIM IL-SUNG (M-R: KIM IL-SONG) TO ILLUSTRATE THE DIFFERENCE BETWEEN THE LATTER'S THINKING AND HIS OWN. KIM'S COUNSEL BROUGHT OUT NUMEROUS INSTANCES OF KIM'S ACTUALLY SUPPORTING ROK FOREIGN POLICY, E.G., OPPOSING U.S. TROOP WITHDRAWAL, AND APPEALING TO THE DEPT OF STATE TO STOP A KOREAN ACADEMIC FROM VISITING NORTH KOREA.

3. (LOU) THE CONVENING OF THE AUGUST 19 TRIAL SESSION MARKED THREE CHANGES FROM THE PREVIOUS DAY: A) THE COURT ORDERED KIM'S TWELVE CODEFENDANTS BACK TO THE COURTROOM; B) KIM'S LAWYER WAS ABSENT FOR MOST OF THE SESSION, ALTHOUGH KIM WAS BEING QUESTIONED BY THE PROSECUTOR; C) AND QUESTIONING SHIFTED ITS FOCUS FROM ANTI-COMMUNIST LAW VIOLATIONS TO TWO OTHER ITEMS OF THE INDICTMENT: INSTIGATION OF INSURRECTION AND VIOLATION OF THE FOREIGN CURRENCY CONTROL LAW.

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4. (LOU) KIM ADMITTED RECEIVING MONEY FROM JAPANESE DIETMAN UTSUNOMIYA TOKUMA, HE ADMITTED CODEFENDANT KIM NOK-YOUNG (M-R: KIM NOK-YOUNG) AND AN AMERICAN, EDWARD BAKE (SIC) HAD SERVED AS CONDUITS FOR ILLEGAL POLITICAL FUNDS.

5. (LOU) THE PROSECUTOR THEN DEMANDED KIM EXPLAIN A LONG LIST OF HIS POLITICAL ACTIONS AND STATEMENTS. KIM ADMITTED HAVING SAID THAT "DEMOCRACY GROWS FROM THE BLOOD OF THE PEOPLE" (SEOUL YWCA SPEECH, 3/26/80) BUT SAID THE QUOTE WAS FROM JEFFERSON AND REFERRED TO THE SACRIFICES NEEDED TO BUILD DEMOCRACY, NOT TO VIOLENCE. THIS LINE OF QUESTIONING ENDED WHEN KIM TOLD THE PROSECUTOR THAT HE HATED VIOLENCE, HAD SOUGHT POLITICAL POWER "ONLY BY ELECTION", AND NEVER ADVOCATED USE OF VIOLENCE FOR POLITICAL PURPOSES. (COMMENT: THIS LINE OF QUESTIONING SEEMED TO RELATE TO THE "PLOTTING AND INSTIGATING OF INSURRECTION" ITEMS IN THE INDICTMENT.)

6. (LOU) KIM SAID HE HAD NOT BEEN TORTURED, BUT HAD BEEN HELD NAKED IN AN UNDERGROUND ROOM WHILE BEING INTERROGATED 18 HOURS A DAY FOR 80 DAYS. HE SAID THAT HE HAD SIGNED STATEMENTS UNDER THESE CONDITIONS WITH THE INTENT OF DENYING THEM LATER IN COURT.

7. [redacted]

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